IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO : 24279 of 1995

Between:

Raja Narayana Setty s/o Giriappa, aged about 75 years, r/o Ananthapur, old Town, Ananthapur District

..... PETITIONER

AND

1. The Joint Collector cum Settlment Officer, Ananthapur District, Ananthapur.
2. The District Collector, Ananthapur District, Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly in the nature of a writ of Mandamus declaring the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioner's land situated at Papampet village, Ananthapur Mandal, Ananthapur District in Sy.No. 7/3, 7/6 to the extent of Ac.4-25 cents and Sc. 3-04 cents (total Ac.7-29 cents) and allotting of pattas for house sites in the petitioner's lands in illegal, arbitrary without jurisdiction and consequently direct the respondents to cancel the pattas allotted for house sites in the petitioner's land and pass such other order or orders as this Hon'ble Court deems fit and proper under the circumstances of the case.

Counsel for the petitioner: Sri S.Siva Prasad, Advocate.

Counsel for respondents: G.P. for Revenue.

The Court made the following :

HON'BLE SRI JUSTICE BILAL NAZKI

W.P.NO. 24279 OF 1995

ORDER:

Heard learned counsel for the parties. The only grievance of the petitioner seems to be that he is in enjoyment of the land measuring Ac.7-29 cents under different Sy.Nos. and has patta in his favour, but the respondents are bent upon for dispossessing him for allotment of the land to landless poor for ganting house sites. On 28.10.1995 interim direction was granted by this Court not to dispossess the petitioner from the land. Counter has not been filed. In these circumstances, the writ petition is disposed of directing the respondents not to take the land of the petitioner except through due process of law. No costs.

KR 5.8.2004

Sd/-

Asst. Registrar

//True Copy//

Section Officer

To

1. The Joint Collector cum Settlment Officer, Ananthapur District, Ananthapur.
2. The District Collector, Ananthapur District, Ananthapur.
3. 2 CCs to GP for Revenue, High Court buildings, Hyderabad.(out)
4. 2.CD copies.